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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/560,509	04/27/2000	Jeffrey D. Meyer	10002145-1	3122

22879 7590 11/16/2004

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EXAMINER

DELGADO, MICHAEL A

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 11/16/2004

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Response to Arguments

1. Applicant's arguments filed 8/16/04 have been fully considered but they are not persuasive. In response to the argument that the examiner has conceded base on examiner reply (d) as to the configuration server and configurable nature of the collector.

In the specification on page 18, lines 1-25 (See Fig 6). The applicant discloses the structure of a collector in which there are three main functions, which are the encapsulator , aggregator and data storage. The difference between a data collector and a correlator collector is that the aggregator only operates in the later. The data collector is a collector in which the aggregator logic (though be physical present) has being disabled. This is integrating the functions of a data collector and a correlator collector in one collector module. This is an adjustable feature, which employs redundant logic. In the prior art, the data collector and correlator collector are presented as a dedicate function without the adjustable feature.

In Manual of Patent Examining Procedure under 2144

V. MAKING PORTABLE, INTEGRAL, SEPARABLE, ADJUSTABLE, OR
CONTINUOUS

B. Making Integral

In re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965) (A claim to a fluid transporting vehicle was rejected as obvious over a prior art reference which differed from the prior art in claiming a brake drum integral with a clamping means, whereas the brake disc and clamp of the prior art comprise several parts rigidly secured together as a single unit. The court affirmed the rejection holding, among other reasons, "that the use of a one piece construction instead of the structure disclosed in [the prior art] would be merely a matter of obvious

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engineering choice."); but see *Schenck v. Nortron Corp.*, 713 F.2d 782, 218 USPQ 698 (Fed. Cir. 1983) (Claims were directed to a vibratory testing machine (a hard-bearing wheel balancer) comprising a holding structure, a base structure, and a supporting means which form "a single integral and gaplessly continuous piece." Nortron argued that the invention is just making integral what had been made in four bolted pieces. The court found this argument unpersuasive and held that the claims were patentable because the prior art perceived a need for mechanisms to dampen resonance, whereas the inventor eliminated the need for dampening via the one-piece gapless support structure, showing insight that was contrary to the understandings and expectations of the art.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael S. A. Delgado whose telephone number is (571) 272-3926. The examiner can normally be reached on 7.30 AM - 5.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM A CUCHLINSKI JR can be reached on (571) 272-3925

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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